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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/636,004
Filing Date: August 07, 2003
Appellant(s): BOURGES-WALDEGG ET AL.

Anne Vachon Dougherty
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 14 January 2009 and amended appeal brief filed 17 March 2009 appealing from the Office action mailed 14 July 2008.

(1) Real Party Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

20020013852	Janik	4-2001
20030236817	Gibbs et al.	7-2002
20020169888	Nabkel et al.	4-2001

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-3, 8-11 and 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Janik (US 20020013852 A1) in view of Gibbs et al. (US 20030236917 A1) and in further view of Nabkel et al. (US 20020169888 A1).

Consider claims 1, 10, and 17. Janik discloses an electronic device, comprising an interface for connecting output units to said device ((“The system disclosed herein provides a communication connection and a content and data management system comprised of software and hardware...” paragraph 0072), a control unit for controlling the routing of messages ((“System control application 18 serves the function of managing the connection between content 10 and various servers on Internet 8, and PC 34 and storage gateway 38, and also manages the flow of information between PC 34 and storage gateway 38, and client devices 78.”) paragraph 0084), said messages being determined to be presented to a user of said device via at least one of said output units, said control unit being configured for: determining at least one of said output units for routing a message to based on a result of a message classification process, and routing said message to that interface serving said determined output unit ((“Briefly and generally, the system is used to provide a means for end users to program preference-

based content for delivery at various client devices, and then to automatically or under the control of the user, send the content to client devices for presentation to the end user.”) paragraph 0027); and a method of dynamic classification based on message content analysis ((“Because LAN 70 technology is a two-way interconnection technology, responses from client devices 78 can be sent back through the system and processed and presented to the user and other interested entities at both PC 34 and on the web. FIG. 12 shows tag button 188 on audio playback device 86. FIG. 13 shows tag button 128 on Internet clock 82. During the playing of content 10, activation of tag button 128 by the user results in a transmission of XML message 74 back through LAN 70 informing core module 42 that the tag button 128 was activated. Core module 42 then compiles and transmits tag XML message 74 to tag storage and processing server 138. This process is described in FIG. 21. The information in core module 42 tag XML message 74 may include but is not limited to: metadata or meta-tags included in the file or stream (characters or images); the file name if content 10 is a file; the URL or IP address of the stream if content 10 is a stream; time; date; and user identifier.”) Janik, paragraph 0170).

Though the Examiner interprets Janik to disclose an interface, Janik may not specifically disclose a plurality of interfaces.

Gibbs et al. discloses a system and method of device specific pagination of dynamically rendered data comprising a plurality of interfaces ((“A content analyzer receives and analyzes content to be rendered at a plurality of recipient devices against display capabilities of the respective devices.”) abstract). Therefore, it would have been

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obvious to a person of ordinary skill in the art at the time the invention was made to incorporate an electronic device, comprising a plurality of interfaces as taught by Gibbs et al. with an electronic device, comprising an interface for connecting output units to said device, a control unit for controlling the routing of messages, said messages being determined to be presented to a user of said device via at least one of said output units, said control unit being configured for determining at least one of said output units for routing a message to based on a result of a message classification process, and routing said message to that interface serving said determined output unit, and a plurality of interfaces and a method of dynamic classification based on message content analysis as taught by Janik for the purpose of routing input data to a plurality of output devices.

Janik, as modified by Gibbs et al., discloses a method comprising means for routing of messages or a method of determining an output unit for rendering a received message based on dynamic message classification ((“An alternative embodiment of this system includes the TV as an output device for using GUI module 46 aspect of system control application 18. In this embodiment, system control application 18 resides on a set-top box that includes the components and functionality of storage gateway 38. Set-top boxes are available that include a DOCSIS cable modem as well as a CATV tuner, hard disk drive 30, and microprocessor 280. In this system, the TV can be used as the output device on which the device control GUIs are visually presented, and a set top box remote control with a cursor pointing function is the input device. The GUI images look and function virtually identically to those shown in FIG. 3 through FIG. 11. Most set-top boxes already contain the circuitry and firmware to draw images on a TV screen

(NTSC format), so GUI module 46 would be minimally modified to support the number of pixels on conventional TV screens. ") Janik, paragraph 0174).

Though the Examiner interprets Janik, as modified by Gibbs et al., to disclose a method comprising means for routing of messages or a method of determining an output unit, Janik, as modified by Gibbs et al., may not specifically disclose a means for automatically determining routing of messages to an output unit.

Nabkel et al. discloses a method for dynamically redirecting message attachments between a host system and a mobile data communication device wherein a redirector determines a path for content that is input from a host system and directs it to a compatible output device ("Disclosed herein is a system and method for providing dynamic and centralized service prioritization based on dynamic classification, registration, integration, and operation of a plurality of communications services such as one or more telephony, data, and/or video services. This system may be provided across multiple domains and for multiple providers of communications services. The system described herein may further provide for integration of user profiles (parameters, preferences, screening list, permissions, etc.), dynamic registration of the new services, monitoring of state across multiple services, and dynamic service prioritization and directed message distribution to appropriate services.") paragraph 0034).

Therefore, it would have been obvious for a person of ordinary skill in the art at the time the invention was made to incorporate a method for redirecting message attachments between a host system and a mobile data communication device wherein a

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redirector determines a path for content that is input from a host system and directs it to a compatible output device as taught by Nabkel et al. with an electronic device, comprising a plurality of interfaces and a message classification process comprising analysis of messages and dynamic configuration of messages based on message content analysis and an electronic device, comprising interfaces for connecting output units to said device, a control unit for controlling the routing of messages, said messages being determined to be presented to a user of said device via at least one of said output units, said control unit being configured for: determining at least one of said output units for routing a message to based on a result of a message classification process, and routing said message to that interface serving said determined output unit as taught by Janik, as modified by Gibbs et al., for the purpose of dynamically rendered data.

Consider claim 2, and as applied to claim 1 above. Janik, as modified by Gibbs et al. and Nabkel et al., discloses an electronic device comprising a stored look-up table ((“System control application database 96 is a set of files that contain system parameters and data.”) Janik, paragraph 0085) with confidential (Nabkel et al., paragraph 0112) classification levels being allocated to output units (“Further sub classification of content within file types or genres. For example a “music” category may be further divided into additional classifications such as “classical”, “jazz”, “pop”, “internet radio” and the like.”) Janik, paragraph 0077).

Consider claims 3, 11 and 18, and as applied to claims 1, 10 and 17, respectively. Janik, as modified by Gibbs et al. and Nabkel et al., discloses an electronic device comprising a classification unit for running said classification process for classifying to be output messages ((“Audio device content editor 24 provides the user with the ability to group audio files (tracks) into user-defined playlists, which are text association that contains a list of and paths to audio files or the URLs or IP addresses of audio streams, and are stored in system control application database 96. For example, a user may create a playlist called “Classical Music” that contains ten Beethoven symphonies.”) Janik, paragraph 0132); a method of classifier models ((“According to one aspect of the invention, the use of the SVM method is employed as the classifier 132. It is to be appreciated that other classifier models may also be utilized such as Naive Bayes, more general probabilistic dependency models referred to as Bayesian networks, decision trees, and other learning models, including hierarchically structured versions of these models, where alternate layers employ the same or a different classifiers SVM's are configured via a learning or training phase within a classifier constructor and feature selection module 132. A classifier is a function that maps an input attribute vector, $x=(x_1, x_2, x_3, x_4, x_n)$, to a confidence that the input belongs to a class--that is, $f(x)=\text{confidence}(\text{class})$. In the case of content/text classification, attributes are words or phrases or other domain-specific attributes derived from the words (e.g., parts of speech, presence of key terms), and the classes are categories of various kinds, such as for example important versus non-important content.”) Gibbs et al.,

paragraph 0025); and confidentiality levels ((“Security aspects of the DMB relate to a system entity's right to transmit messages (identification and authentication) as well as authorization to access the target system entity. Also relevant is protection of the integrity and confidentiality of the message contents. It may be optional to apply security constraints on a DMB that is purely relaying messages within a trusted domain.”) Nabkel et al., paragraph 0112).

Consider claims 8, 16 and 19, and as applied to claims 1, 10 and 17, respectively. Janik, as modified by Nabkel et al., discloses an electronic device comprising an identification unit for identifying connected output units and for making control unit determine output units for routing message to ((“Network Address Translation (NAT) and routing--certain client devices 78 must be connected to the Internet 8 in real time. Core module 42 acts to connect messages and streams from client devices 78 to Internet 8, and from Internet 8 to the client devices 78. ”) Janik, paragraph 0107). However, Janik, as modified by Nabkel et al., may not specifically disclose identifying available connected output units. Gibbs et al. discloses a method of identifying recipient devices for content and determining capabilities of said recipient devices ((FIG. 8 illustrates a high-level flow diagram for modifying and/or rendering content in accordance with the subject invention. At 800, a request is received to provide and/or disseminate dynamically generated content. Recipient devices for the content are identified as well as associated capabilities (e.g., display constraints, processing capabilities) are identified at 810. At 820, a determination is made as to

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whether the content to be displayed in full exceeds display capabilities of the recipient device. If no, at 830, the content is rendered. On the other hand, if at 820 a determination is made that the content exceeds device capabilities, the content is modified (e.g., sub-divided, paginated, truncated, compressed) into suitable subsets for rendering at the recipient device. At 850, the subsets of content are sequentially rendered until all content is delivered.) paragraph 0048).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate a method of identifying recipient devices for content and determining capabilities of said recipient devices as taught by Gibbs et al. with an electronic device comprising an identification unit for identifying connected output units and for making control unit determine output units for routing message to as taught by Janik, as modified by Nabkel et al., for the purpose of a communications system capable of routing messages to capable output terminals.

Consider claim 9, and as applied to claim 1 above. Janik, as modified by Gibbs et al. and Nabkel et al., discloses an electronic device that is portable (“In this embodiment, client device 78 is a portable computing device referred to as a webpad 92, able to be carried around the house or within range of LAN 70.”) Janik, paragraph 0197).

(10) Response to Argument

Appellant's arguments: pages 10-26 of the Appeal Brief

Appellant argues that Janik, as modified by Gibbs et al. and Nabkel et al., does not teach or suggest an electronic device having a plurality of interfaces for connecting message rendering output units to the device.

Examiner respectfully disagrees. Janik, as modified by Gibbs et al. and Nabkel, discloses the claimed system.

Gibbs disclosed clearly in paragraph 0022 the use of a plurality of interfaces by using interfaces such as ASPs, CGIs, and APIs.

It would have been obvious for one skilled in the art to combine the interactive thin client controlling methods of Janik with the dynamic rendering methods comprising a plurality of interfaces of Gibbs et al., and with the automatic routing methods comprising directed message distribution of Nabkel et al. to explicitly teach the use of a for connecting message rendering output units to the device.

Appellant argues that Janik, as modified by Gibbs et al. and Nabkel et al., does not teach or suggest a control unit for controlling the routing of messages based on

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results of an automatic and dynamic message classification process based on at least one of message content analysis, presentability, sender and confidentiality level.

Examiner respectfully disagrees. Janik, as modified by Gibbs et al. and Nabkel, discloses the claimed system.

Janik discloses in FIG 21 a control unit for controlling the routing of messages based on classification from a core module (read as results of an automatic and dynamic message classification process) based on a tag message (read as at least one of message content analysis). Note that the core module determines current content source and classifies the messages into terrestrial broadcast, local file or Internet stream categories. See Janik FIG 21 and *paragraph 0170*.

Paragraph [0170] cited here for convenience:

“Because LAN 70 technology is a two-way interconnection technology, responses from client devices 78 can be sent back through the system and processed and presented to the user and other interested entities at both PC 34 and on the web. FIG. 12 shows tag button 188 on audio playback device 86. FIG. 13 shows tag button 128 on Internet clock 82. During the playing of content 10, activation of tag button 128 by the user results in a transmission of XML message 74 back through LAN 70 informing core module 42 that the tag button 128 was activated. Core module 42 then compiles and transmits tag XML message 74 to tag storage and processing server 138. This process is described in FIG. 21. The information in core module 42 tag XML message 74 may include but is not limited to: metadata or meta-tags included in the file or stream (characters or images); the file name if content 10 is a file; the URL or IP address of the stream if content 10 is a stream; time; date; and user identifier.” *Janik, paragraph 0170, and Figure 21*

It would have been obvious for one skilled in the art to combine the control unit for controlling the routing of messages based on classification from a core module based on a tag message of Janik with the dynamic rendering methods comprising a plurality of interfaces of Gibbs et al., and with the automatic routing methods comprising directed message distribution of Nabkel et al. for the purpose of a control unit for controlling the routing of messages based on results of an automatic and dynamic message classification process based on at least one of message content analysis, presentability, sender and confidentiality level.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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